



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

TRENTON

OCT 2 1990

Division of Coastal Resources

Please address reply to:

CN 401

Trenton, N.J. 08625-0401

Mr. Lawrence Cohen
 Courter, Kobert, Laufer, Purcell & Cohen
 Attorneys at Law
 1001 Route 517
 Hackettstown, N.J. 07840

Re: Freshwater Wetlands Exemption Letter
 Applicant/Project Name: Mr. & Mrs. Jose Domingues
 BFW File No. 1438-90-0028.2-EX
 Block 59; Lot: 60
 Washington Township, Morris County
 N. Branch Raritan River Watershed, Raritan River
 Drainage Basin

Dear Mr. Cohen:

Please be advised that, pursuant to N.J.S.A. 13:9B-1 et seq., and the implementing rules of the New Jersey Freshwater Wetlands Protection Act, specifically N.J.A.C. 7:7A-2.7(d)1, all of the structures, lots, and driveways, for the construction of two single family dwellings located on proposed lots 60.05 and 60.06 as mentioned in the Planning Board Resolution and referred to on the site plan submitted to this office, consisting of 1 sheet entitled "MINOR SUBDIVISION OF TAX MAP LOT 60 BLOCK 59 WASHINGTON TOWNSHIP - MORRIS COUNTY NEW JERSEY", dated March 9, 1987, last revised February 11, 1988, and prepared by Associated Consultants, are exempt from the requirement of obtaining a NJDEP Freshwater Wetlands or Open Water Fill permit. This exemption is based on the fact that this project received minor subdivision approval from the municipal government on 12/29/87. This exemption is subject to the following limitations:

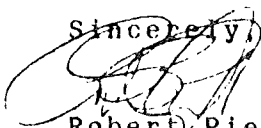
1. The exemption is based on information available to the department, including information submitted by the applicant for the exemption letter. If the information on which this exemption letter is based is found to be inaccurate, the department will void the exemption and require a permit, pursuant to the Freshwater Wetlands Protection Act, for these activities.



2. This exemption does not obviate the need for any permits, approvals, or certifications required by any other Federal, State, county, or municipal review agency with jurisdiction over this project. The exemption applies only to the requirements of the Freshwater Wetlands Protection Act, (N.J.S.A. 13:9B-1 et seq.) and the rules adopted pursuant to that Act, in N.J.A.C. 7:7A-1 et seq.
3. Pursuant to N.J.A.C. 7:7A-2.7(e), this exemption shall be considered null and void if significant changes are made to the aforementioned plans. A significant change shall be deemed to have been made if, under the Municipal Land Use Law (N.J.S.A. 40:55d-1 et seq.) the change would void the preliminary approval and would require the submittal or approval of a new or amended application to the local review agency. This exemption will be effective for as long as the site plan or subdivision approval remains valid.
4. If any discharge of dredged or fill material into a freshwater wetland or State open water resulting from this project contains any toxic pollutant listed under section 307 of the Federal Clean Water Act, such discharge shall be subject to all applicable toxic effluent standards or prohibition, and the discharge shall require a NJDEP Freshwater Wetlands or Open Water Fill Permit.
5. This exemption shall become null and void as of the date of assumption by the State of New Jersey of the Federal 404 program.

Please contact Theresa Bottini of our staff at (609) 984-0799 should you have any questions regarding this exemption. Be sure to indicate the Bureau's file number in all communication.

Sincerely,


Robert Piel Jr., Manager
Bureau of Inland Regulation

cc: U.S. Army Corps of Engineers; New York District
U.S. Environmental Protection Agency, Region II
Washington Township Clerk
Washington Township Planning Board
Morris County Planning Board
Washington Township Environmental Commission
Washington Township Construction Official
Washington Township Board of Health

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